

**RECEIVED
CENTRAL FAX CENTER**

MAY 09 2006

Serial No. 10/149,490
60,137-158; 270-3038-U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wclty
Serial No.: 10/007,021
Filed: 11/05/2001
Group Art Unit: 1775
Examiner: Piziali, Andrew T.
Title: COATED ARTICLE

M/S After Final
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Dear Examiner:

This is in reply to the Examiner's Answer mailed on March 9, 2006. The Examiner's Answer raises numerous arguments that require a brief response.

A. Anticipation Under Foster

(i) The Examiner argues that the SUMMARY OF THE INVENTION of Foster discloses Applicant's invention. The Summary discloses an electroplated nickel layer and that the vapor deposited layer may be a single layer or a multi-layer. Respectfully, the SUMMARY does not disclose Applicant's invention. The SUMMARY discloses that the vapor deposited layer may be a multi-layer, but does not disclose which materials are specifically selected for the multi-layers or in what order the layers are deposited. The layer order and materials are vital to the decorative appearance and protective function. It is only in The DESCRIPTION OF THE PREFERRED EMBODIMENT that one can determine which specific materials and layer order may be used for the multi-layers to achieve the desired appearance and function. As explained in Applicant's Appeal Brief filed on January 18, 2006, the examples and figures described in Foster do not

Serial No. 10/149,490
60,137-158; 270-3038-U

disclose an article including a nickel layer, a strike layer consisting essentially of zirconium, titanium or zirconium-titanium alloy (which is a refractory metal or a refractory metal alloy) that directly contacts the nickel layer, and an uncoated outer layer consisting essentially of zirconium compound, titanium compound, or zirconium-titanium alloy compound (which is a refractory metal compound or a refractory metal alloy compound) that directly contacts the strike layer as claimed. Thus, the Examiner's reliance on the SUMMARY is unreasonable because the examples and figures described in Foster do not support such an interpretation.

(ii) The Examiner additionally argues that Applicant's invention is anticipated because claims 1, 2, 3, and 6 of Foster do not mention a chrome layer or an overlying layer. The Examiner's interpretation of these claims is unreasonable. The claims of Foster are limited in scope to the disclosure of the patent. *Lizardtech, Inc. v. Earth Resource Mapping, Inc.*, 433 F.3d 1373, 77 U.S.P.Q.2d 1391 (Fed. Cir. 2006). Since Foster does not disclose Applicant's invention as described above, the Examiner's reliance on the claims of Foster is improper.

B. Obviousness over Foster in View of Fink

The claimed invention is not obvious. Claims 39 and 43 depend on patentable independent claims 22 and 32, respectively, and are allowable for the reasons set forth above. Adding Fink to Foster still does not render Appellant's claims obvious because neither reference teaches an uncoated outer layer consisting essentially of zirconium compound, titanium compound, and zirconium-titanium alloy compound that directly contacts a strike layer consisting essentially of zirconium, titanium, or zirconium-titanium alloy that directly contacts a nickel layer as claimed. Foster does not disclose these features. Nothing in Foster teaches using a coating on door knobs. Therefore, even when employing the coating of Foster on the doorknob of Fink, the combination of the references does not teach, suggest or disclose the claimed invention. The claimed invention is not obvious, and Appellant respectfully requests that the rejection be withdrawn.

Serial No. 10/149,490
60,137-158; 270-3038-U

CLOSING

For the reasons set forth above, the rejection of all claims is improper and should be reversed. Appellant respectfully requests such action.

Respectfully submitted,

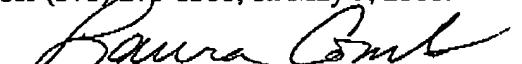
CARLSON, GASKEY & OLDS


Matthew L. Koziarz, Reg. No. 53,154
400 W. Maple, Suite 350
Birmingham, MI 48009
(248) 988-8360

Dated: May 9, 2006

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (571) 273-8300, on May 9, 2006.


Laura Combs